

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

**THIS DOCUMENT RELATES TO:
“Ohio Cases”**

CASE NO. 1:17-MD-2804

) **David R. Cohen**

) **Randi S. Ellis**

) **Hon. David R. Herndon**

) **FEE PANEL ORDER NO. 19**

) **REGARDING OHIO**

) **ATTORNEY FEE FUND**

) **PAYMENTS TO DISTRIBUTORS**

In September of 2021, the State of Ohio entered into a settlement agreement with AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation (“Settling Distributors”). Section VIII.B.2 of the *Distributors Ohio Settlement Agreement* states:

No later than October 15, 2021, the Settling Distributors shall pay \$2,685,944.09 into the Ohio Qualified Settlement Fund, in fulfillment of the Contingency Fund component of Payment 1 as set forth on Exhibit G. If the Global Settlement becomes effective by July 1, 2022, Participating Subdivisions and their counsel shall direct the administrators of the Global Settlement Contingency Fee Fund and the Global Settlement Common Benefit Funds to disburse any and all payments allocated to counsel for the Participating Subdivisions to the Settling Distributors until the Settling Distributors have been repaid the \$2,685,944.09 paid under this provision.

Because the Global Settlement became effective by July 1, 2022, this provision was triggered. On December 20, 2022, the Fee Panel received a written memorandum from counsel for the Ohio Participating Subdivisions directing the Fee Panel to pay \$2,685,944.09 of the Contingency Fee Fund Awards attributable to counsel for the Ohio Participating Subdivisions to the Settling Distributors. Therefore, the administrator of the Ohio Fee and Expense Fund will reimburse the Settling Distributors in the amount of \$2,685,944.09. The payments to each of the Settling Distributors are as follows:

Ohio Payments to Distributors from CFF	Percentage	Amount
Amerisource	31.00%	\$ 832,642.67
Cardinal	30.90%	\$ 829,956.72
McKesson	38.10%	\$ 1,023,344.70
	100%	\$ 2,685,944.09

Upon receiving the funds referenced above, counsel for the Settling Distributors shall promptly notify the Fee Panel. Thereafter, the Fee Panel will issue Contingency Fee Fund Awards in full to all eligible counsel for the Ohio Participating Subdivisions.

IT IS SO ORDERED.

/s/ **David R. Cohen**
Randi S. Ellis
David R. Herndon
FEE PANEL

Dated: December 21, 2022